

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-CR-20340-WILLIAMS

UNITED STATES OF AMERICA,

vs.

MASPHAL KRY,

Defendant.

/

**DEFENDANT MASPHAL KRY'S REPLY IN SUPPORT OF
MOTION TO MODIFY CONDITIONS OF RELEASE**

The Court should grant Mr. Kry's Motion to Modify Conditions of Release (the "Motion").

Mr. Kry's record of perfect compliance with his conditions of release support a finding that the proposed modifications will reasonably assure his presence before the Court, particularly considering the conditions of release that will remain unchanged; namely: (1) Mr. Kry's passport is surrendered to the United States Fish and Wildlife Service; (2) Mr. Kry wears a GPS ankle bracelet monitored by Pretrial Services for the Eastern District of Virginia ("EDVA"); and (3) a \$75,000 bond is posted by his sister-in-law and surety, AnneLynne Um, and secured by her family's home. *See* ECF No. 38 (incorporating the original conditions of release imposed by Magistrate Judge Marcia M. Henry in the Eastern District of New York); *United States v. Kry*, 22-mj-01230-MMH, ECF No. 15 (E.D.N.Y. Dec. 5, 2022) (setting original conditions of release)).

The proposed modifications and the unchanged modifications are sufficient to reasonably assure Mr. Kry's appearance as required, and the government's Opposition does not assert otherwise. Mr. Kry is committed to proving his innocence and making all required appearances before this Court. As the government notes in its Opposition, neither Vakida Wilson of Pretrial

Services for the EDVA nor Officer Harry Marcellin of Probation for the Southern District of Florida raised concerns about Mr. Kry's proposed modifications; indeed, defense counsel drafted Mr. Kry's proposed modifications based on Officer Wilson's and Officer Marcellin's guidance as to permissive Outings for defendants on home detention. Mr. Kry's record of perfect compliance supports the Court's finding that the proposed modifications—permitting Mr. Kry to leave the home, to which he is confined and shares with six individuals, for (i) one 90-minute window each day for a walk, (ii) outings pre-approved by pre-trial services, and (iii) to travel, unaccompanied, the thirty-one miles from Springfield, Virginia to Akin Gump's DC offices—will continue to reasonably assure his appearance.

For the foregoing reasons, Mr. Kry respectfully moves the Court to grant his Motion to Modify Conditions of Release, ECF No. 141.

Dated: July 10, 2023

Respectfully submitted,

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